

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE WASTE MANAGEMENT DATA  
BREACH LITIGATION

Case No. 1:21-CV-06199-DLC

**PLAINTIFFS' NOTICE OF UNOPPOSED MOTION AND  
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Lead Plaintiff Gabriel Fierro and Plaintiffs Janie Marcaurel, Shelby Ingram, Mark Krenzer, Mary J. Fusilier, Clifford Harris, Nolan Brodie, Miguel Montelongo, Gerald Davis, Steven Dudley, Edward Couture, Rafael Moran, and Mary Chubbuck (“Class Representatives” or “Plaintiffs”) hereby move this Court for final approval of the class action settlement preliminarily approved by this Court on November 15, 2023. Plaintiffs respectfully request that this Court:

1. Grant final certification of the Settlement Class, appoint Plaintiff Gabriel Fierro as lead Class Representative, appoint Janie Marcaurel, Shelby Ingram, Mark Krenzer, Mary J. Fusilier, Clifford Harris, Nolan Brodie, Miguel Montelongo, Gerald Davis, Steven Dudley, Edward Couture, Rafael Moran, and Mary Chubbuck as Class Representatives, and appoint Gayle M. Blatt of Casey Gerry Schenk Francavilla Blatt & Penfield, LLP as Class Counsel;
2. Approve the requested combined attorneys’ fees and expenses in the amount of \$440,000, the Service Award to the Lead Plaintiff herein, Gabriel Fierro, in the amount of \$2,500, and to the remaining Class Representative Plaintiffs in the amount of \$500 each;
3. Find that the Notice met the requirements of due process and Federal Rule of Civil Procedure 23;
4. Find the terms of the Settlement Agreement to be fair, reasonable, and adequate and approved, adopted, and incorporated by the Court;
5. Direct the Parties, their respective attorneys, and the Claims Administrator to consummate the Settlement in accordance with the Court Order and the terms of the Settlement Agreement resolve all claims against all parties in this Action and issue the

Proposed Final Approval Order.

This Motion is based on the Supporting Memorandum filed herewith; the Settlement Administrator Declaration of Carmen R. Azari in Support of Final Approval filed herewith; the Declaration of Gayle M. Blatt; the Settlement Agreement entered into between the parties as well as the Notices issued to the Class at ECF 93-1; Plaintiff's Motion for Preliminary Approval of Class Action Settlement, Supporting Memorandum, Supporting Declarations, and Firm Resume at ECF 70-71; and Plaintiff's Motion for Approval of Attorneys' Fees, Expenses, and Service Awards and accompanying documents; and all other pleadings and papers on file in this action; and any oral argument that may be heard by this Court at or prior to the Final Approval Hearing.

Wherefore, Plaintiffs request that this Court grant this motion and grant the Motion for Final Approval of the Class Action Settlement.

Dated: January 15, 2024

**Casey Gerry Schenk Francavilla  
Blatt & Penfield LLP**

s/ Gayle M. Blatt

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